

**THE UNITED STATES OF  
AMERICA, ex rel. ANGELA GOMEZ  
and CHRISTOPHER HICKS,**

**V.**

## Defendants.

## ORDER

The False Claims Act (“FCA”) is silent as to whether all documents submitted during the seal period should be unsealed once the seal is lifted in a qui tam case. *See* 31 U.S.C.

§ 3730(b)(3) (stating only that the complaint shall be unsealed); *see also United States ex rel. Becker v. Tools & Metals, Inc.*, No. 05-CV-627, 2008 WL 3850522, at \*2–3 (N.D. Tex. Aug. 19, 2008) (collecting cases); *United States ex rel. Mikes v. Straus*, 846 F. Supp. 21, 23 (S.D.N.Y. 1994) (“[Section 3730] evinces no specific intent to permit or deny disclosure of in camera material as a case proceeds.”). Courts thus have “wide discretion . . . to determine what documents, if any, should remain under seal.” *Becker*, 2008 WL 3850522, at \*3.

Here, the Government asks that all filings except for its Notice, the Complaint, and this Order remain under seal. Notice 2. The Government argues this is necessary to maintain the confidentiality of its investigative methods, Mot. 6–10, avoid jeopardizing its investigation into Relators’ allegations, Mot. 10, and protect third parties from possible retaliation, Mot. 11. Because the Government’s request is unopposed at this time and the Government has adequately justified its request, the Motion is **GRANTED**.

Accordingly, the Court **ORDERS** that the Relators’ Complaint, ECF No. 1, and the Government’s Notice of nonintervention, ECF No. 35, **be unsealed**. All other prior filings in the case **shall remain under seal**. The seal is lifted for this Order and all subsequent filings in this matter.

**IT IS FURTHER ORDERED** that Relators serve the Complaint and the Notice of nonintervention on all Defendants and file proof of service pursuant to Federal Rule of Civil Procedure 4(m). *See* 31 U.S.C. § 3730(b)(3).

**IT IS FURTHER ORDERED** that the parties shall serve the Government with all pleadings, motions, responsive briefings, and notices of appeal filed in this matter. *See* 31 U.S.C. § 3730(c)(3). The Government also may order deposition transcripts, at its own expense.

**IT IS FURTHER ORDERED** that any subsequent orders from the Court shall be delivered to the Government's counsel through CM/ECF.

**SO ORDERED.**

**SIGNED** this 15th day of January, 2024.

  
KATHLEEN CARDONE  
UNITED STATES DISTRICT JUDGE